

SATTERLEE STEPHENS BURKE & BURKE LLP

230 PARK AVENUE
NEW YORK, NY 10169-0079
(212) 818-9200
Fax (212) 818-9606

51 JOHN F. KENNEDY PARKWAY
FIRST FLOOR WEST
SHORT HILLS, NJ 07078-2713
(973) 218-2509
FAX (973) 218-2401

www.ssbb.com

E-Mail: wsaurack@ssbb.com
Direct Dial: (212) 404-8703

April 22, 2016

BY ECF

The Honorable Lorna G. Schofield
United States Courthouse
40 Foley Square
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/25/16

The Honorable Frank Maas
United States Courthouse
500 Pearl Street
New York, NY 1007

Re: 1:10-cv-03959, Kriss et al v. Bayrock Group LLC et al.

Dear Judges Schofield and Maas:

We represent defendants Bayrock Group LLC, Bayrock Spring Street LLC, Bayrock Ocean Club LLC, Bayrock Whitestone LLC, Bayrock Camelback LLC, Bayrock Merrimac LLC, Tevfik Arif and Julius Schwarz (collectively, "the Bayrock Defendants") and write concerning the letters from Plaintiffs' counsel filed yesterday [ECF 346 & 347].

While the Court has already denied the requests set forth in the letters, the Bayrock Defendants wish to briefly respond to Plaintiffs' allegation that "possibly other defendants," besides defendant Felix Sater, had any involvement in the sending of the communications that are attached to the letters. There is absolutely no basis for this allegation. For their part, the Bayrock Defendants and their counsel had no knowledge of these communications until Plaintiffs filed them on ECF yesterday. Plaintiffs' counsel did not even contact counsel for the Bayrock Defendants before filing the letters to make any inquiry into this unfounded allegation. The Bayrock Defendants have had no communications with Plaintiffs during this litigation except through counsel.

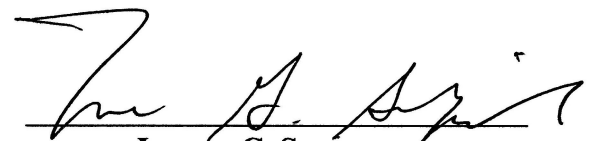
Respectfully,



Walter A. Saurack

APPLICATION DENIED for substantially the same reasons
stated in the Court's April 22, 2016 Order filed at Docket No. 352.

Dated: April 25, 2016
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE